

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) **No. 06-CR-30150-DRH**
)
RUBEN SALAICES-ARENALES,)
)
Defendant.)

ORDER

HERNDON, District Judge:

Before the Court is a motion to continue trial submitted by Defendant Ruben Salaices-Arenales. (Doc. 23.) Defendant's counsel was only very recently appointed to represent Defendant. The Court finds that trial should be postponed in order to give Defendant's counsel sufficient time to prepare; to do otherwise would visit a manifest miscarriage of justice upon the Defendant. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such a continuance outweigh the interests of the public and Defendant in a speedy trial because failure to grant such a continuance would unreasonably deny Defendant's counsel the time necessary to prepare. Therefore, the Court **GRANTS** Defendant Salaices-Arenales' motion to continue. (Doc. 23.) The Court **CONTINUES** the jury trial scheduled for Tuesday, January 16, 2007, at 9:00 a.m. until Monday,

April 23, 2007 at 9:00 a.m. The time from the date Defendant's motion was filed, January 12, 2007, until the date on which the trial is rescheduled, April 23, 2007, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 12th day of January, 2007.

/s/ David RHerndon
United States District Judge